

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

MICHEL MONTES,

Petitioner,

Case No. 1:09-cv-1043

v.

HONORABLE PAUL L. MALONEY

CARMEN PALMER,

Respondent,

/

**ORDER ADOPTING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation (ECF No.35) filed by United States Magistrate Judge Joseph G. Scoville in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation is hereby adopted as the opinion of the Court.

**THEREFORE, IT IS ORDERED** that the habeas corpus petition is **DENIED** for the reasons stated in the Report and Recommendation.

**IT IS FURTHER ORDERED** that a certificate of appealability is **DENIED**.

**This action is terminated.**

Date: January 24, 2014

/s/ Paul L. Maloney  
Paul L. Maloney  
Chief United States District